

REMARKS

In the Final Action of August 22, 2007, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Dickey et al., U.S. Patent No. 6,189,896 ("Dickey"). Claims 2 to 8, which depend directly or indirectly on claim 1, were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dickey.

In the response filed November 21, 2007, applicant traversed the rejection on the basis that the Office improperly interpreted certain of the limitations of claim 1 and that, if claim 1 is properly interpreted, Dickey fails to disclose each and every limitation of claim 1 and, therefore, fails to support a case of anticipation of claim 1 under 35 U.S.C. § 102(b).

Among other deficiencies of Dickey, applicant noted that in the seal ring ("5") of the present invention as recited in claim 1, end of each of concaves ("51") is defined as converging with a surface of the side face to form a converging point, adjacent converging points being separated from each other by the columnar surface. According to decisions of the Federal Circuit, the Office must give this limitation its broadest reasonable interpretation in light of the specification. Applicants noted in the response filed November 21, 2007, that, referring to the specification, the converging portion ("B") of the seal ring ("5") of the present

invention converges toward the innermost points of the column portion ("54") (see page 14, line 14 to line 21 of the specification). On the other hand, a converging point in Fig. 3 of Dickey, as assigned to Y, by the Office does not converge toward innermost points of the column surface (e.g., "Z").

In an Advisory Action dated December 4, 2007, the Office maintained the rejections of the claims. The Office stated that "[i]n response to the applicant's argument that the Dickey et al. reference does not include certain features of Applicant's invention, the limitations on which the applicant relies (i.e., the converging portion converging toward the innermost points of the column portion) are not stated in the claims."

Claim 1 has been amended to add the limitation that "the converging portion converges toward the innermost points of the column portion". This amendment is supported by the description on page 14, lines 19 to 21, of the specification of the present application that: "[t]he converging portion 52 converges to a point B in an adjacent column portion 54 which is the closest point to the inner circumference of the seal ring 5."

Without admitting the propriety of the Office's other positions in the rejection of claim 1, as noted above, a converging point in Fig. 3 of Dickey, as assigned to Y by the Office, does not

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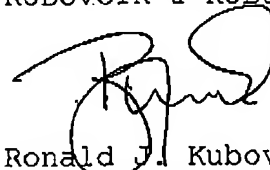
converge toward innermost points of the column surface (e.g., "Z"). Thus, Dickey fails to disclose each and every element of the seal ring of claim 1 and is insufficient to support a case of anticipation of claim 1 under 35 U.S.C. § 102.

The 35 U.S.C. § 103(a) rejection of claims 2 to 8 depends on the propriety of the 35 U.S.C. § 102(b) rejection of claim 1. Since the 35 U.S.C. § 102(b) rejection of claim 1 has been overcome, claims 2 to 8 are *prima facie* patentable.

Removal of the 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) rejection of the claims and a notice of allowability of the claims are believed to be in order and are respectfully requested.

In the event that this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension and any additional required fees may be charged to Deposit Account No. 111833.

Respectfully submitted,  
KUBOVCIK & KUBOVCIK



Ronald J. Kubovcik  
Reg. No. 25,401

Atty. Case No. TKI-006  
The Farragut Building  
Suite 710  
900 17th Street, N.W.  
Washington, D.C. 20006  
Tel: (202) 887-9023  
Fax: (202) 887-9093  
RJK/JBF